

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION**

<b>UNITED STATES OF AMERICA</b>	)	<b>Criminal Action No. 6:08-cr-00017</b>
	)	
<b>v.</b>	)	<b><u>FINAL ORDER</u></b>
	)	
<b>ALFRED NICKELAY DAVIS</b>	)	<b>By: Norman K. Moon</b>
<b>Petitioner.</b>	)	<b>United States District Judge</b>

In accordance with the memorandum opinion entered this day, it is hereby **ORDERED** as follows:

- (1) The government's motion to dismiss, ECF No. 52, is **GRANTED**;
- (2) Davis' motion pursuant to 28 U.S.C. § 2255, ECF No. 50, is **DISMISSED**;
- (3) This action is **STRICKEN** from the active docket of this court; and
- (4) Finding that Davis has failed to make a substantial showing of the denial of a constitutional right as required by 28 U.S.C. § 2253(c), a certificate of appealability is **DENIED**.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to the parties.

**ENTER:**      This 1st day of December, 2017.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE